

REMARKS

Claims 17-67 are now pending and stand rejected. Applicant is submitting a Request for Continued Consideration ("RCE") with this Preliminary Amendment. By this Preliminary Amendment, Applicant has canceled claims 39 and 51, without prejudice. Accordingly, claims 17-38, 40-50, and 52-67 are pending. Applicant has also amended claims 17, 18 and 22. Applicant requests continued consideration of the claims pending now.

Specification

The Examiner continues to reject claims 17-67 under 35 U.S.C. Section 112, first paragraph, as failing to comply with the written description requirement. Claims 17, 18, and 22 are amended and the specification supports these claims as amended.

The Examiner indicates that the Applicant is required to cancel the new matter in the reply to the final Office Action. Applicant respectfully traverses the Examiner's allegation that the at the time of the invention, Applicant did not have possession of the claimed invention because the Examiner cites only the following statement to support this contention.:

It is currently recognized that cellular transmission will ultimately provide dynamic motion and high resolutions freeze frame displays.

Applicant respectfully submits that the Examiner conveniently overlooks the following teaching (indicated below in italics) by Applicant in the specification:

[0049] The central traffic control station TIS may automatically place a call (for example, to broadcast a proposal request from a buyer) to the appropriate vendor locations, determined by a database of vendor locations qualified (for example, as by specific category or sub-category) for the particular merchandise for which the buyer requests proposals. Likewise, when executing appointments, the buyer may place a call to the appropriate vendor location, determined also by a database associated with the particular one of the vendor locations L1-Ln, with which the specific buyer has an appointment scheduled. Alternatively, the buyer may actuate

an autodialer, such that the autodialer code number (obtained from the central traffic control station database) displayed on the buyer's video terminal connects him or her to the appropriate vendor. In the event there are complications *or otherwise, the buyer may use* a regular telephone *or a cellular telephone* and manually dial the telephone number displayed on the video terminal. It is currently recognized that cellular transmission will ultimately provide dynamic motion and high resolutions freeze frame displays. **U.S. Patent 4,825,457, issued April 25, 1989 to Mayer M. Lebowitz describes wireless interface structures known for video cameras and video receivers to accommodate wireless video communication through the telephone company, i.e. the dial-up public telephone system.**

[0052] Each buyer system BS1-BSn may be equipped with a platform to accommodate select communications with various vendors. Assume that a person at vendor location L1 wishes to schedule an appointment with a buyer at buyer terminal V1. As a result, telephone equipment at the location L1 is actuated, either manually or automatically, prompting dial-up operations to accomplish a connection from the vendor location L1 through the telephone system TS to the traffic control system TIS. Standard information, as the specific buyer with which the vendor may be entitled to schedule an appointment may be indicated by dialed number identification signals (DNIS) using a capability readily available from the telephone system TS, as for example on the so-called D-channel. It is to be noted that while the D-channel apparatus provides one operational configuration, some DNIS and/or ANI (Automatic Number Identification) data signals can be received in-band without D-channel apparatus. In any event, such signals may direct or qualify communication under control of the system TIS. It should be noted that DNIS and ANI signals can be used

for identification, whereby the control computer CC may fetch identification data for graphic displays.

Applicant respectfully submits that he clearly recognized that a buyer, not just in the event of complications, but otherwise as well, could use a cellular telephone, and therefore, wireless communication to conduct the operations discussed in this application. Cellular transmission was known and clearly in the prior art (as established at least by the patent to Leibowitz that is cited here). Applicant has canceled the new matter and has now only amended the specification to include a reference to a prior art patent. The Examiner indicates that “the Applicant cannot turn to another reference to show support for that which is missing in Applicant’s own disclosure.” Applicant has merely amended the specification to cite a reference to a prior art patent in order to comply with Applicant’s duty of disclosure.

In addition, claim 17 recites “electronically transmitting an indication of confirmation relating to the transaction initiated after an interface between the interfaced buyer and the traffic control system is terminated.” The Examiner indicates that Applicant turns to Figure 9 for providing support for this aspect, which according to the Examiner only shows a Buyer Request Form. The Examiner alleges that this form is initially blank and filled in by a buyer or vendor to indicate specific product information. Applicant respectfully notes that Figure 8 is an Exemplary Buyer Request Form and not Figure 9, which indicates an exemplary notification receipt with examples of confirmation indications “YOUR #5127 RECEIVED, ASSIGNED TELEBUYER # 681296 DISTRIBUTED TO 736 VENDERS.” The Examiner is respectfully requested to withdraw the rejection of claim 17 on this basis.

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Reply to final Office Action of: October 5, 2007

Reconsideration of this application is respectfully requested in view of the present form of the claims and the above arguments. The Examiner is invited to telephone the undersigned representative if an interview might expedite consideration and allowance of this application.

Respectfully submitted,

BERRY & ASSOCIATES P.C.

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